

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FEDERAL HOUSING FINANCE AGENCY, AS
CONSERVATOR FOR THE FEDERAL
NATIONAL MORTGAGE ASSOCIATION
AND THE FEDERAL HOME LOAN
MORTGAGE CORPORATION,

Plaintiff,

-against-

NOMURA HOLDING AMERICA INC., et al.,

Defendants.

No. 11-cv-6201 (DLC)

ECF Case

**DEFENDANTS' MOTION TO EXCLUDE
TESTIMONY OF ROBERT W. HUNTER BASED
ON PURPORTED "MINIMUM INDUSTRY STANDARDS"**

PLEASE TAKE NOTICE that pursuant to Federal Rules of Evidence 402, 403, 702 and *Daubert v. Merrell Dow Pharmaceuticals Inc.*, 509 U.S. 579, 597 (1993), and upon the Declaration of Kunal J. Choksi, dated November 26, 2014, with attached exhibits, and the memorandum in support of this motion, defendants Nomura Holding America Inc., Nomura Asset Acceptance Corporation, Nomura Home Equity Loan, Inc., Nomura Credit & Capital, Inc., Nomura Securities International, Inc., RBS Securities Inc., David Findlay, John McCarthy, John P. Graham, Nathan Gorin and N. Dante LaRocca will move this Court, before the Hon. Denise L. Cote, on a date and at a time to be determined by the Court, in Courtroom 15B of the United States Courthouse at 500 Pearl Street, New York, New York 10007, for an Order excluding the

trial testimony and opinions of plaintiff's designated expert Robert W. Hunter to the extent that he refers to or relies on any "minimum industry standards."

Dated: November 26, 2014
New York, New York

Respectfully submitted,

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